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EXAMINER

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

Applicant's arguments filed 6/05/09 have been fully considered but they are not persuasive. The following interpretation of the prior art is solely based on the current set of claims and arguments submitted by the Applicant.

With respect to independent claim 17, Minemura's terminal provides teaching of an equipment including means for reading and transmitting data (0125). Furthermore, Minemura teaches a cryptogram containing a digest of said application and instructions [hash verification; 0085 and 0191], means for verification of said application [again using the hash verification; 0085 and 0191], means for extraction and execution of the instructions contained in the cryptogram [application-usable resource information; 0125].

With respect to independent claim 1, Minemura's use of encrypting random numbers with the authentication module's public key serves as an identifier because if the authentication module can correctly decrypt the cryptogram and return the random numbers back to the server, the server knows the authentication module has the associate private key [0192]. Thus identity is confirmed. The use of 'random' numbers only prevents replay attacks and does not limit the notion of identity. Because of the 3-way authentication between the server, authentication module, and terminal, the identity of both the terminal and the authentication module is confirmed to the server by this identification data [0193-0194].

The amendments to the claim will not be entered because the amendments have changed the scope of the claimed invention. For example in claim 1, as previously

Art Unit: 2431

claimed, it was interpreted that the access to certain resources of the security module was released or blocked to a user of the equipment. Prior to the amendment it was not explicit what the resources were being protected from. Examiner interpreted this broad limitation as governing the use of certain resources by the instructions sent in the cryptogram with the application. By amendment to the preamble and last limitation ("to the application") of claim 1, these instructions are for governing access to certain resources from the application itself. It can no longer be interpreted as merely governing a user from the resources. Instead of the equipment using the application to limit access to certain resources [from a user], the equipment limits access to certain resources from the application.

/M. R. V./

Examiner, Art Unit 2431

/William R. Korzuch/

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